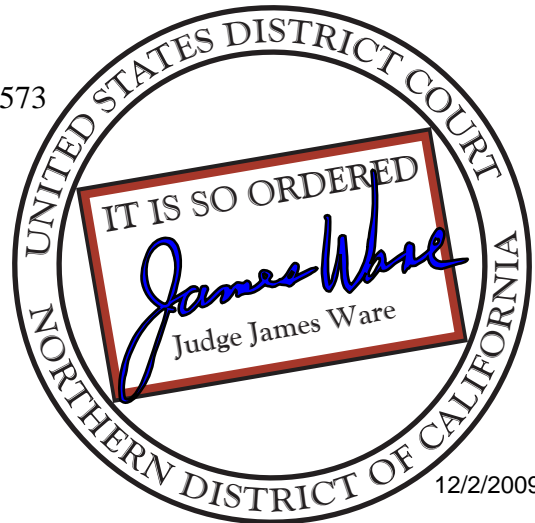


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Attorneys for Defendants

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

14 THE OTTER PROJECT and
15 ENVIRONMENTAL DEFENSE CENTER,

16 Plaintiffs,

17 v.

18 KEN SALAZAR, Secretary of the United
19 States Department of the Interior, SAM
20 HAMILTON, Director of the U.S. Fish &
21 Wildlife Service, UNITED STATES
22 DEPARTMENT OF THE INTERIOR,
UNITED STATES FISH & WILDLIFE
SERVICE,

23 Defendants.

No. C 09-4610 JW

**STIPULATION EXTENDING TIME TO
ANSWER OR OTHERWISE RESPOND
TO COMPLAINT UP TO AND
INCLUDING DECEMBER 21, 2009**

25 Pursuant to Civil L.R. 6-1(a) this Stipulation is entered into by and between Plaintiffs,
26 The Otter Project and Environmental Defense Center, and Defendants, Ken Salazar, Secretary of
27 the United States Department of the Interior, Sam Hamilton, Director of the U.S. Fish & Wildlife
28

Stipulation Extending Time to
Respond to Complaint

1 Service, the United States Department of the Interior, and the United States Fish & Wildlife
2 Service:

3 WHEREAS, the above-captioned Complaint for Declaratory and Injunctive Relief was
4 filed on September 30, 2009;

5 WHEREAS, the United States Attorney for the Northern District of California was
6 served with the Summons and Complaint on October 9, 2009, see Doc. No. 10;

7 WHEREAS, Defendants' Answer or other response to the Complaint, pursuant to Fed. R.
8 Civ. P. 12(a)(3), would therefore be due December 11, 2009;

9 WHEREAS, Defendants need additional time to determine and prepare their response to
10 the Complaint;

11 NOW, THEREFORE, Plaintiffs and Defendants stipulate as follows:

- 12 1. Defendants shall answer or otherwise respond to the Complaint by December 21, 2009.

13
14 November 20, 2009

Respectfully Submitted,

15
16
17 /s/ Brian Segee (by LEF, as authorized on
11/20/09)

18 Brian Segee (Cal. Bar No. 200795)
19 Environmental Defense Center
20 906 Garden Street
21 Santa Barbara, CA 93101
22 Tel: (805) 963-1622 x. 113
23 Fax: (805) 962-3152
24 email: bsegee@edcnet.org

25 Attorney for Plaintiffs

26
27 IGNACIA S. MORENO, Asst. Attorney General
28 JEAN E. WILLIAMS, Section Chief

/s/ Lawson E. Fite
LAWSON E. FITE, Trial Attorney

Stipulation Extending Time to
Respond to Complaint

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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE OTTER PROJECT, et al.,

Plaintiffs,

v.

KEN SALAZAR, et al.,

Defendants.

No. C 09-4610 PVT

CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2009, I electronically filed the foregoing STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT with the Clerk of the Court using the CM/ECF system, which will send notification of such to the attorneys of record.

/s/ Lawson E. Fite

LAWSON E. FITE